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Paper No. 10

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SUITE 410  
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**SEP 13 2011**

**OFFICE OF PETITIONS**

|                                |   |        |
|--------------------------------|---|--------|
| In re Patent No. 6,132,432     | : |        |
| Issue Date: 10/17/2000         | : |        |
| Application Number: 09/280,283 | : | LETTER |
| Filing Date: 03/29/1999        | : |        |
| Attorney Docket Number:        | : |        |
| 0123.00017                     | : |        |

This is a communication in reference to the letter styled as a petition filed on July 20, 2011, concerning the expiration of the above-identified patent.

The Office can neither grant nor deny the petition because it is not accompanied by payment of the requisite petition fee and maintenance fee. Any petition to accept delayed payment of a maintenance fee must be accompanied by the required maintenance fee set forth in 37 CFR 1.20(e)-(g) and the surcharge set forth in 37 CFR 1.20(i)(1) or (2).<sup>1</sup> Patent and Trademark fees and charges payable to the Patent and Trademark Office are required to be paid in advance, that is, at the time of requesting any action by the Office for which a fee or charge is payable.<sup>2</sup> As such, the petition fee is a prerequisite to the filing of the present petition, and the Office will not reach the merits of the petition unless and until the petition fee is submitted.

<sup>1</sup>See MPEP 2580 and 37 CFR 1.378(b) and (c).

<sup>2</sup>37 CFR 1.22(a).

In this regard, on September 7, 2011, counsel's deposit account, No. 11-1449, contained a balance of \$958.00, which is insufficient to charge both the second maintenance fee (small entity) of \$1,240.00 and the surcharge after expiration of 700.00.

37 CFR 1.25(a) states, in pertinent part, that an amount sufficient to cover all fees, services, copies, etc., requested must always be on deposit. Charges to accounts with insufficient funds will not be accepted.

Further correspondence with respect to this matter should be addressed as follows:

By mail:           Mail Stop Petition  
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By FAX:           (571) 273-8300  
                  Attn: Office of Petitions

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A reply may also be filed via the EFS-Web system of the USPTO.

Telephone inquiries should be directed to the undersigned at 571-272-3231.



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